

Message Text

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PAGE 01 BRASIL 05382 111316Z
ACTION OES-09

INFO OCT-01 ARA-10 ISO-00 L-03 EB-08 CA-01 SCS-06
H-01 INR-10 DLOS-09 CG-00 DOTE-00 SS-15 TRSE-00
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FM AMEMBASSY BRASILIA
TO SECSTATE WASHDC PRIORITY 8209
INFO AMCONSUL RIO DE JANEIRO
AMCONSUL SAO PAULO

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E.O. 11652: N/A
SUBJECT: SHRIMP FISHING

REF: (A) BRASILIA 5215, (B) BRASILIA 5240

1. FOREIGN MINISTRY SECRETARY GENERAL CASTRO ALVS ASKED
AMBASSADOR TO CALL JULY 10 TO RECEIVE BRAZILIAN REPLY TO
OUR NOTE OF JULY 3 PROPOSING VISIT OF U.S. MID-LEVEL
TEAM TO DISCUSS FISHERY RELATIONS. (REF B)

2. CASTRO ALVES HANDED OVER NOTE DATED JULY 7, FULL
TEXT AS FOLLOWS:

3. "THE MINISTRY OF FOREIGN RELATIONS PRESENTS ITS
COMPLIMENTS TO THE EMBASSY OF THE UNITED STATES AND HAS
THE HONOR TO ACKNOWLEDGE RECEIPT OF NOTE NO. 291 OF
JULY 3, 1978, REFERRING TO THE PROPOSAL OF CONVERSATIONS
BETWEEN BRAZIL AND THE UNITED STATES OF AMERICA ABOUT
BILATERAL RELATIONS IN THE FIELD OF FISHING.

4. "THE MINISTRY OF FOREIGN RELATIONS BELIEVES THAT
CONVERSATIONS ABOUT EVENTUAL (POSSIBLE) AGREEMENT ON FISHING
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PAGE 02 BRASIL 05382 111316Z

BETWEEN BRAZIL AND THE UNITED STATES NECESSARILY WILL
HAVE TO BE IN ACCORD WITH THE GENERAL POLICY ADOPTED BY
THE BRAZILIAN GOVERNMENT, TAKING AS A BASIS THE TEXT
PRESENTED BY THE BRAZILIAN DELEGATION TO THE NEGOTIA-
TIONS WHICH TOOK PLACE IN FEBRUARY, 1978, WHICH
ENVISAGED THE FORMATION OF JOINT VENTURES BETWEEN
COMPANIES OF THE TWO COUNTRIES.

5. "THE MINISTRY OF FOREIGN RELATIONS ADDS THAT THE BRAZILIAN GOVERNMENT, BEFORE RECEIVING A TECHNICAL MISSION FROM NORTH NORTH AMERICA FOR CONVERSATIONS IN THE FIELD OF FISHING, WISHES TO BE INFORMED ABOUT STEPS WHICH THE GOVERNMENT OF THE UNITED STATES OF AMERICA ADOPTED, WITHIN THE LIMITS OF ITS CAPACITY, TO AVOID THE CONTINUATION OF THE PRACTICE OF VIOLATING THE TERRITORIAL WATERS OF BRAZIL BY FISHING BOATS OF THE NORTH AMERICAN FLAG."

6. EXPLAINING THE FIRST OPERATIVE PARAGRAPH OF THE NOTE, CASTRO ALVES EMPHASIZED THAT THE GOB'S JOINT VENTURE POLICY, WITH 51 PER CENT BRAZILIAN OWNERSHIP, IS NOW FIXED AS BASIS FOR BILATERAL FISHING COOPERATION. TRINIDAD AND TOBAGO, HE SAID, HAS JUST SIGNED AN AGREEMENT ON THIS BASIS, WHILE AMEMORANDUM OF UNDERSTANDING HAS BEEN DRAWN UP WITH BARBADOS AND THE SIGNATURE IS EXPECTED SHORTLY. IN RESPONSE TO THE AMBASSADOR'S QUESTIONING, CASTRO ALVES ACKNOWLEDGED THAT THE BRAZILIAN GOVERNMENT WOULD BEHAPPY TO DISCUSS THE GENERAL MATTER OF FISHERY RELATIONS WITH THE U.S. AT ANY TIME; THE GOB WANTS IT UNDERSTOOD, HOWEVER, THAT ANY AGREEMENT ON FISHING WOULD HAVE TO BE ON THE BASIS OF JOINT VENTURES. HE EXPLAINED THAT THE WORD "EVENTUAL" IN PORTUGUESE MEANT "POSSIBLE."

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PAGE 03 BRASIL 05382 111316Z

7. EXPLAINING THE REQUIREMENT IN THE LAST PARAGRAPH, CASTRO ALVES EMPHASIZED THE PRASE "WITHIN THE LIMITS OF ITS CAPACITY," STATING THAT RE REALIZED THAT, WITH OUR FREE ENTERPRISE ECONOMY, THE USG DID NOT HAVE AUTHORITY OVER THE SHRIMP BOAT OPERATORS. THE AMBASSADOR SUGGESTED THAT WE MIGHT PUT IN WRITING INFORMATION ABOUT OUR WARNINGS TO THE SHRIMP BOAT OPERATORS, ALREADY MADE AVAILABLE TO THE GOB ORALLY, AND CASTRO ALVES DID NOT DEMUR.

8. CASTRO ALVES SAID THAT A REPLY TO OUR OTHER NOTE OF JULY 6, CONCERNING THE SEIZURE OF AMERICAN VESSELS ALLEGEDLY OUTSIDE BRAZILIAN WATERS (REF A), IS CURRENTLY UNDER PREPARATION. HE FORECAST THE NATURE OF THE BRAZILIAN RESPONSE BY STATING THAT THE MATTER INVOLVES THE QUESTION OF THE BRAZILIAN NAVY'S WORD AGAINST THAT OF THE SHRIMP BOAT OPERATORS. THE FORMER, HE SAID, IS THE "MORE RESPONSIBLE" PARTY. THE NAVY USES VERY PRECISE INSTRUMENTATON IN FIXING ITS COORDINATES; WHERE THE LIMITS OF BRAZILIAN WATERS ARE OPEN TO QUESTION, THE NAVY ALWAYS ADOPTS

THE LINE LEAST FAVORABLE TO BRAZIL. GIVEN THIS
SITUATION, CASTRO ALVES SAID, THE FRENCH EMBASSY HAS
NOT SEEN FIT TO PURSUE ITS EARLY COMPLAINT.
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